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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/684,593	10/15/2003	Louis Holder	20807.0002	1757

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EXAMINER

JONES, PRENELL P

ART UNIT PAPER NUMBER

2667

DATE MAILED: 05/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 10/684,593	Applicant(s) HOLDER, LOUIS	
	Examiner Prenell P Jones	Art Unit 2667	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 October 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to: See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1 and 4 are rejected under 35 U.S.C. 102(e) as being anticipated by Borella et al.

Regarding claims 1 and 4, Borella (Abstract, col. 3, line 14-44, col. 11, line 48-52) discloses an IP telephony network utilizing network address translation, wherein communication exist between a caller station and callee station and the privacy and security associated with the IP telephony network is enhanced, whereby the architecture includes multiple components, such as, two routers, two gatekeepers and a back end server that work together to set-up a call, (col. 2, line 5-67) an intermediate network, routing calls between a caller station and callee station is accessible via an intermediate network (intermediate point/Internet), router connecting edge network to an intermediate network initiates a call in response to a setup message (at least a portion of a message) that includes a callee station number, routing means performs network address translation, intermediate network initiates call response to set-up message originating from callee station, (col. 7, line 23 through col. 8, line 45) in the registration process for both the caller (sender) and callee (destination) an edge network to a router transmits a first registration

message, a second registration message and a third registration message (repeatedly sending other messages from destination) over Internet to the intermediate network, cascade of registration messages transmit callee station number (from destination), and responses are sent with respect to registration request of both caller and callee during registration process.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2, 3, 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Borella et al in view of Schuster et al (US PAT 6,446,127).

Regarding claims 2, 3, 5 and 6, as indicated above; Borella discloses (Abstract, col. 3, line 14-44, col. 11, line 48-52) an IP telephony network utilizing network address translation. However, Borella fails to teach sending messages within a time-out period. In analogous art, Schuster (Abstract, Fig. 13, col. 12, line 15-30) discloses an Internet telephony system whereby the architecture includes users sending request to destination registration servers, utilization of SIP in order to manage calls between users, wherein the call process/call registration utilizes SIP, SIP includes INVITE and ACK, and (col. 23, line 40-53) request messages (calls) are sent before the possibility of setting a timeout period, and it is inherent that timeout is a functionality associated with device ports (router port) in communicating data. Therefore, it would have been

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obvious to one of ordinary skill in the art at the time of the invention to be motivated to implement the use of implementing a time-out period, wherein it does not affect the routing of connection/request messages or communication attempts as taught by Schuster with the teachings of Borella's Internet Telephony system for the purpose of further managing communication between users by directing the system to end call if request messages are unanswered by other party, thereby limiting network congestion.

5. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Borella in view of Schuster et al as applied to claim 1-6 above, and further in view of Rabenko et al.

Regarding claim 7, as discussed above, Borella discloses (Abstract, col. 3, line 14-44, col. 11, line 48-52) an IP telephony network utilizing network address translation and Schuster discloses an Internet telephony system whereby the architecture includes users sending request to destination registration servers, and routers that utilizes timeout periods. Both Borella and Schuster fail to disclose utilizing a media terminal adapter. In analogous art, Rabenko discloses communicating VOIP over a gateway (col. 8, line 19-31, col. 37, line 15-67, col. 78, line 45-52, col. 83, line 6-46) wherein bi-directional communication between telephony devices occur, MTA is embedded in subscriber telephony device (source) and utilizing an MTA to provide subscriber with advanced services. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to be motivated to implement utilizing an MTA as associated with communicating voice over the Internet via a voice gateway as taught by Rabenko with the combined teachings of Schuster and Borella for the purpose of further improved VOIP services between telephony devices/subscribers.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Prenell P. Jones whose telephone number is 571-272-3180. The examiner can normally be reached on 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on 571-272-3179. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Prenell P. Jones

May 6, 2005


CHI PHAM
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2667 5/16/05